

United States Bankruptcy Court
F I L E D

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

APR 15 1998

C. L. AUSTIN, CLERK
Milwaukee, Wisconsin

In re:

AR ACCESSORIES GROUP, INC.,

And

THE WALLET WORKS, INC.,

Debtors.

Case No. 98-22580-JES

Case No. 98-22750-JES

Judge James E. Shapiro
Voluntary Chapter 11 Cases

CASE MANAGEMENT ORDER NO. 1

This matter was raised on the Court's *sua sponte* request for the entry of a case management order (the "Order"), and counsel for the above-entitled Debtors (the "Debtors") in the above-entitled cases (the "Cases") was directed to prepare the Order and circulate it to the Court, the United States Trustee and the Clerk of the Bankruptcy Court (the "Clerk") for comment, which was done. The Court has jurisdiction over these matters pursuant to Sections 157 and 1334 of Title 28, United States Code and this is a core proceeding pursuant to Section 157(b)(2). The Court finds that notice of the Order was proper and that entry of the Order is in the best interests of the Debtors, their respective Estates and Creditors, due to the large number of creditors in the Cases, the numerous matters to be heard by the Court, and that burdensome expense and unnecessary delay would result unless certain modifications are made to the standard practices as set forth in Title 11, United States Code (the "Bankruptcy Code"), the Federal Rules of Bankruptcy Procedure ("FRBP") and the Local Bankruptcy Rules, as amended January 1, 1994 and January 5, 1998 (the "Local Rules"). This Order therefore makes such modifications pursuant to Sections 102 and 105(a) of the Bankruptcy Code,

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FRBP Rules 2002, 7016, 9006, 9007 and 9014, and the Order Allowing Joint Administration of the Cases, entered April 2, 1998.

THEREFORE, IT IS HEREBY ORDERED that:

1. **Caption.**

The caption of this Order shall be the official caption for all pleadings in the Cases. Any party filing a pleading seeking relief must specify within the text of such pleading as to which Debtor or Debtors the pleading applies.

2. **Filing of Documents and Identification of Documents.**

The Clerk shall maintain a Master Case File and Docket for each of the Cases, but all documents shall be filed and docketed in both Cases.

A. Every document (except proposed orders) shall be filed with the Clerk, and the filing shall be comprised of an original and four (4) copies (including a facsimile, conformed or photostatic copy of the signature) of the document being filed. The distribution of papers by the Clerk under ordinary circumstances will be as follows:

- a. Original to the file of AR Accessories Group, Inc.
- b. Copy to file of The Wallet Works, Inc.
- c. Copy to public viewing file.
- d. Copy to the Honorable James E. Shapiro.
- e. Copy to Mary B. Grossman, Esq., Law Clerk.
- f. An additional copy, if the filing party wants a "file-stamped" copy returned to it; including a self-addressed, stamped envelope, if by mail.

B. Proof of Claim - If the document being filed is a proof of claim, the filing shall be comprised of an original and one copy, but a proof of claim filed by a claimant is to be accepted by the Clerk so long as an original is presented for filing.

C. Proposed Orders - Proposed orders should either be tendered at the hearing or submitted to the Clerk, accompanied by two (2) copies.

D. Blank Space - Each document shall have a blank space in the upper right hand corner of the first page of not less than a 2½ inch square.

3. **Uniformity.**

All procedures herein proscribed for motions shall apply to any request for an order, including applications, without regard to the title of the document filed.

4. **Service of Filings; Primary Service List; Master Service List.**

A. All filings in the Cases, unless otherwise ordered by the Court, shall, in addition to the parties in interest for the particular filing, be served upon the persons listed on the Primary Service List ("PSL"), attached hereto and made part hereof as Exhibit "A". All persons on the PSL shall keep the Court and the other parties on the PSL advised of their current address, contact person, telephone number, fax number and e-mail address, and any changes or substitutions therein. The PSL shall also include the Counsel for and the chairperson of any Committee established pursuant to Section 1102 of the Bankruptcy Code in the Cases. Counsel for any such Committee, or the chairperson thereof, shall be responsible for serving the members of the Committee or any other professionals retained by such Committee.

B. The Master Service List ("MSL") shall consist of the those persons on the PSL, plus the names and addresses of all parties, in either of the Cases, who have filed notices of

appearance and/or requests to receive notice ("Requests") and have served such Requests on Counsel for the Debtors. Parties will be added or subtracted from the MSL by such party submitting written Requests to counsel for the Debtors or upon motion of a party, after notice and hearing. Counsel for the Debtors shall maintain and update the MSL and the PSL and shall file dated and numbered versions thereof with the Court at least once every two weeks. Counsel for the Debtors shall provide a copy of the PSL or MSL to any party reasonably requesting the same. Ten (10) days after the establishment of any Committee, any members of such Committee who are on the MSL or the PSL shall be deleted therefrom, because Counsel for such Committee, who shall be on the PSL, shall receive all notices.

C. If a certificate of service indicates that service was made on the PSL or the MSL, the Lists need not be attached to the filing, but the certificate of service shall reference the date and number of the version utilized.

D. All filings in adversary proceedings and any motions directed at specific parties (contested motions) shall be served, pursuant to FRBP 7004, upon all parties entitled thereto and on the PSL.

E. All pleadings must be individually titled documents and shall be filed as separate and distinct documents, such as motions, notices of filing and certificates of service. Proposed orders shall not be submitted on the same page, or as a part of, any other document.

5. **Notice Procedures.**

Motions shall be designated, by the party serving the same, as one of three types: Routine, Non-Routine and Emergency. All Motions except Routine Motions should be marked on the front page, in large letters, with the word "RUSH". The provisions of FRBP Rule 9006(f) shall

not apply to notice given pursuant to this Order. The movant shall be responsible for the service of its motion.

A. Routine Motions shall be served on twenty (20) days notice, by mail, hand delivery, fax, e-mail or overnight delivery. Any party objecting to the relief requested in a Routine Motion must do so in writing, at least five (5) days prior to the hearing set for such Motion, and the objection must state with particularity both the reason and basis for the objection. The Court will set the time for a hearing on a Routine Motion, and in the absence of a timely written objection, the Court may grant a Routine Motion without a hearing.

B. Non-Routine Motions shall be served on seven (7) days notice, by hand delivery, fax, e-mail or overnight delivery. The party filing a Non-Routine Motion must include in the Motion a Statement as to why the Motion is Non-Routine. Any party objecting to the relief requested in a Non-Routine Motion may do so up to and including the time of the hearing on such Non-Routine Motion. Any party objecting to the designation of a Motion as a Non-Routine Motion must do so in writing at least one (1) business day prior to the hearing on said Non-Routine Motion. Unless a party makes other prior arrangements with the Court, Non-Routine Motions will be heard at the Regular Motion Call (see Paragraph 6 hereinbelow) established for the Cases.

C. Emergency Motions are reserved solely for exigent circumstances, and shall be served on such notice as is practicable under the circumstances. It is intended that Emergency Motion process shall be used sparingly. The party filing an Emergency Motion must include in the Motion a Statement as to why the Motion is an Emergency. Any party objecting to the relief requested in an Emergency Motion, or to the designation of a Motion as an Emergency, may do so up to and including the time of the hearing on such Emergency Motion. Emergency Motions will

heard at the time the party filing the same arranges with the Court for such Emergency Motion to be heard.

D. Unless otherwise ordered, notice in accordance with this Order shall be due and adequate and shall constitute compliance with the Bankruptcy Code, FRBP and the Local Rules.

6. **Regular Motion Call; Order Procedure.**

A. The Court shall conduct a Regular Motion Call for the Cases at 10:00 a.m., ^{Milwaukee time} ~~XXXX~~, every Monday morning, beginning with April 6, 1998. Parties should endeavor to schedule Motions for the Regular Motion Call to the extent possible, and the scheduling of a Motion at another time is subject to the Court's prior approval thereof.

B. Do not attach proposed orders to pleadings. Stipulated, consent and agreed orders, and proposed orders pertaining to hearings already held shall be presented to the PSL and objecting parties, if any, and then to the Court, at any time after the conclusion of the hearing in question. The Court will delay signing such proposed order for five (5) business days after the proposed order is received by the Clerk (the "Five Day Rule"). The Five Day Rule may be reduced or waived by the agreement of all attorneys participating in the hearing or as ordered by the Court. Proposed orders should either be tendered at the hearing or submitted to the Clerk, accompanied by at least two (2) copies thereof.

7. **Miscellaneous Matters.**

A. No documents should be faxed to the Court without obtaining the Court's prior authorization.

B. Parties wishing to appear at hearings must do so in person, and not by telephone, unless such party has obtained the Court's prior approval for a telephonic appearance.

C. Attorneys filing a Motion should cause their name, address and telephone number to appear in the bottom left hand corner of the first page of such motions.

D. All Local Rules must be followed, except to the extent modified herein or in subsequent Case Management Orders entered by the Court. Copies of the Local Rules are available from the Clerk, upon written request, accompanied by a self-addressed, stamped (\$.64) envelope.

E. Any questions about procedures in the Cases relating to the Clerk's Office should be directed either Joan McFadden, Court Services Supervisor, or Loretta Gordon, Chapter 11 Supervisor, at (414) 297-3291.

F. The Court strongly prefers that non-resident attorneys be admitted to practice before the United States District Court for the Eastern District of Wisconsin (the "District Court"), rather than filing motions for admission *pro hac vice*. Further details are available from the Clerk of the District Court, 517 East Wisconsin Avenue, Milwaukee, Wisconsin 53202-4504, telephone number (414) 297-3372.

8. Term of this Order.

This Order shall remain in effect for the duration of the Cases, except as amended, modified or supplemented by further order of the Court. The Court specifically reserves the right to enter subsequent Case Management Orders, from time to time, as circumstances warrant.

DATED: April 15, 1998

ENTERED:


United States Bankruptcy Judge